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Request TC 1700 **Continued Examination (RCE) Transmittal**

| Application Number | 09/681,405 | |
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| Filing Date | 3/30/01 #9/1/3 | |
| First Named Inventor | James S. Vartuli et al. | |
| Group Art Unit | 1754 | |
| Examiner Name | Steven J. Bos | |
| Attorney Docket Number | RD-28,060 | |

| NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may whish to consider filing a continued prosecution application (FA) under 37 C.F.R. § 1.51 (g) (FT0529) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Interm Mule, 55-94f. Rep. 1,1856 (ther. 20, 2000), 1235 ct. dm. arc. Profites 47 (Apr. 1), 2000), which established RCE practice. 1. Submission required under 37 C.F.R. § 1.114 a. ☑ Previously submitted i. ☑ Consider the arguments in the Appeal Brief or Reply Brief previously filed on (Ary unentered amendment(s) (reply under 37 C.F.R. § 1.116 previously filed on (Brief). (Ary unentered amendment(s) (reply under 37 C.F.R. § 1.116) previously filed on (Brief). (Brief) | provides for continued examination of an utility or plant application filed on or | Examiner Name | Steven J. Bos | | | | |
|--|---|-------------------------------|----------------------------|--|--|--|--|
| NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may whish to consider filing a continued prosecution application (FA) under 37 C.F.R. § 1.51 (g) (FT0529) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Interm Mule, 55-94f. Rep. 1,1856 (ther. 20, 2000), 1235 ct. dm. arc. Profites 47 (Apr. 1), 2000), which established RCE practice. 1. Submission required under 37 C.F.R. § 1.114 a. ☑ Previously submitted i. ☑ Consider the arguments in the Appeal Brief or Reply Brief previously filed on (Ary unentered amendment(s) (reply under 37 C.F.R. § 1.116 previously filed on (Brief). (Ary unentered amendment(s) (reply under 37 C.F.R. § 1.116) previously filed on (Brief). (Brief) | atter June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA). | Attorney Docket Number | RD-28,060 | | | | |
| wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (a) (PTO/S8/29) instead of a RGC to be provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or provisions of the ARP. See Change to Application or Application or Provisions Application Practice Internal Mule, see ARP. See Change to Application or | This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. | | | | | | |
| 1. Submission required under 37 C.F.R. § 1.114 a. Previously submitted i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [12/12/02] ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on [iii. Other | NOTE: 27.0 E.B. \$ 1.114 is effective on May 20, 2000. If the above identified application was filed prior to May 29, 2000, applicant may | | | | | | |
| i. Consider the amendment(s) /reply under 37 C.F.R. § 1.116 previously filed on | | | | | | | |
| ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on iii. Other b. Enclosed i. Amendment/Reply ii. Information Disclosure Statement (IDS) iii. Information Disclosure Statement (IDS) iii. Statellaneous a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(i) required) b. Other 3. Fees The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filed. a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0868. i. X RCE fee required under 37 C.F.R. § 1.17(e) ii. Extension of time fee (37 C.F.R. § 1.136 and 1.17) 01 FC:1801 750.00 Ci iii. Other b. Check in the amount of \$ enclosed. payment by credit card (Form PTO-2038 enclosed) SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Print/Type) Toan P. Vo | a. X Previously submitted | | | | | | |
| iii. Other | i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on | | | | | | |
| b. | ii. Consider the arguments in the Appeal Brief or | r Reply Brief previously file | ed on | | | | |
| i. Amendment/Reply ii. Affidavit(s)/Declaration(s) iii. Information Disclosure Statement (IDS) iv ★ Other Preliminary Amendment 2. Miscellaneous a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(i) required) b. Other months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(i) required) 5. Fees The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filled. a. ★ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0868. i. ★ RCE fee required under 37 C.F.R. § 1.17(e) 02/06/2003 ERREGAY1 00000014 070868 09681405 ii. ★ RCE fee required under 37 C.F.R. § 1.136 and 1.17) 01 F0:1801 750.00 CS iii. ★ Check in the amount of \$ enclosed. c. ★ Payment by credit card (Form PTO-2038 enclosed) SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Print/Type) Toan P. Vo Registration No. (Attomey/Agent) 43225 Signature ★ Registration No. (Attomey/Agent) 43225 CERTIFICATE OF MAILING OR TRANSMISSION hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelone aritressed to: commissioner For Patients, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: ★ 29 - Q.3 Jame (Print/Type) ★ M. J. N. C. H. J. N. C. H. | | | | | | | |
| ii. Affidavit(s)/Declaration(s) iii. Information Disclosure Statement (IDS) iv. Other Preliminary Amendment 2. Miscellaneous a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(r) required) b. Other 3. Fees The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filed. a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0868. i. RCE fee required under 37 C.F.R. § 1.17(e) ii. Extension of time fee (37 C.F.R. § 1.17(e) b. Check in the amount of \$ | | | | | | | |
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| b. Check in the amount of \$ enclosed. c. Payment by credit card (Form PTO-2038 enclosed) SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Print/Type) Toan P. Vo Registration No. (Attorney/Agent) 43225 Signature Date Jayman 28, 2003 CERTIFICATE OF MAILING OR TRANSMISSION hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelone addressed to: commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile trasnmitted to the U.S. Patent and Trademark Office on: | II. Extension of time fee (3) O. 31. 44 1.130 and 1.177 2 4 4 4 1.130 and 1.177 | | | | | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Print/Type) Toan P. Vo Registration No. (Attomey/Agent) 43225 Signature Date January 28, 2003 CERTIFICATE OF MAILING OR TRANSMISSION thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile trasnmitted to the U.S. Patent and Trademark Office on: 129-03 Warne (Print/Type) Fith M. Lynch | | | | | | | |
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| CERTIFICATE OF MAILING OR TRANSMISSION thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile trasnmitted to the U.S. Patent and Trademark Office on: Jame (Print/Type) Lynch | Name (Print/Type) Toan P. Vo | Registration No. (Attorne | y/Agent) 43225 | | | | |
| thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile trasnmitted to the U.S. Patent and Trademark Office on: James (Print/Type) LIANCH | Signature TOWN . VO | Date January | - 28, 2003 | | | | |
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S.N. 09/681,405



RD-28,060

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Group Art Unit: 1754

: Examiner: STEVEN J. BOS : Response to Paper No. 8

In re Application of

JAMES S. VARTULI et al.

Serial No. 09/681,405

Filed: March 30, 2001

For: INORGANIC ACICULAR BODIES AND

METHOD FOR PRODUCING THE SAME

PRELIMINARY AMENDMENT

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

Sir:

Please amend the above-identified application as follows:

In the Claims:

Please amend claims 5 and 32 to read as follows:

(Three times amended) An acicular body comprising at least one oxide of at least 5. one metal selected from the group consisting of Groups IIA, IIIA, IIIB, rare earth metals, and mixtures the eof; said acicular body having a polygonal cross section and a cross-sectional dimension greater than about 1 µm.